

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BEAZER HOMES HOLDINGS CORP.

CASE NO. 2:09-cv-02089-GMN-LRL

vs.

**ORDER ON MOTION FOR A
DAMAGES AWARD**

CW CAPITAL FUND ONE, LLC;
CORONADO WEST, INC.; and the FEDERAL
DEPOSIT INSURANCE CORPORATION, as
Receiver for NEW SOUTH FEDERAL
SAVINGS BANK,

Defendants.

This matter came before the Court on the Motion for a Damages Award pursuant to Fed. R. Civ. P. 55(b) filed by Plaintiff Beazer Homes Holdings Corp. Being duly advised, the Court now ORDERS that Beazer Homes Holdings Corp. is entitled to judgment in the amount of \$9,854,190.10 against defendants CW Capital Fund One, LLC and Coronado West. Of this amount, \$4,572,375.00 shall be placed into an interest-bearing escrow account for the benefit of Beazer Homes Holding Corp. with customary instructions to the escrow agent that this escrowed amount upon shall be released to Beazer upon submitted payment applications pursuant to the procedure detailed in the Construction Agreement.

IT IS SO ORDERED this 7th day of April, 2011.



Gloria M. Navarro
United States District Judge